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22907 7590 01/24/2008 BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051			EXAMINER ALAM, UZMA	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/881,597

Applicant(s)

FAROUK, ALAMGIR

Examiner

Uzma Alam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6,8-17,20-24,26-31,33-41 and 43-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-6,8-17,20-24,26-31,33-41 and 43-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/14/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

This action is in response to the arguments and amendments filed November 1, 2007.

Claims 2, 7, 10-17, 20-24, 26-31, 33, 45-46, 50-53 and 56 have been amended. Claims 57-67 have been added. Claims 2-6, 8-17, 20-24, 26-31, 33-41 and 43-61 are pending are pending.

The pending claims represent a method for presenting content based on the device description.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2-61 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. As per claims 50, 52 and 53 Applicant claims a method for receiving device independent content, content is responsive to a content request, identifying feature values, matching feature values and providing content. It is unclear, however, where the request is sent to, received from, what device identifies the feature values, what device performs the matching and what device provides content. All of these tasks can be performed on a central information repository, a proxy server, a database, the requesting terminal itself or any terminal in between the requesting device and a device where the content is located.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 2-6, 8-14, 17, 20-24, 26, 29-31, 33-41, 43-45 and 50-61 are rejected under 35

U.S.C. 102(e) as being anticipated by Britton et al. US Patent No. 6,654,814. Britton teaches the invention as claimed including method for dynamic placement of web content (see abstract).

As per claims 50-53, 56 and 58 Britton et al. teaches a method for providing device specific content, presenting content to a terminal device, and a communication system for providing the device specific content, the method and system comprising:

Receiving device independent content comprising markup information [column 1, lines 45-65, column 8, lines 35-68] identifying one or more device feature values associated with the device independent content, wherein the device-independent content is responsive to a content request from a user network terminal device (user requests content from a server, the content being accessed by a number of different data processing systems; column 5, lines 1-8, column 8, lines 46-64, column 10, lines 2-62; author intent is shown in columns 9, lines 55-60 and column 11, lines 61-67 and column 12, lines 1-24 where it shows that rules and policies stored in the

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server about the information are coalesced with the preferences from the user, wireless connection shown in column 7, lines 55-60; column 8, lines 33-34);

Identifying one or more device feature values associated with the user network terminal device (using information in the request to identify user or device requesting content; column 5, lines 8-13, column 10, lines 1-24);

Matching at least one of the device feature values associated with the device independent content with at least one of the device feature values associated with the user network terminal device (converting and correlating features on the content with the information about the features needed by the user or the device used by the user; column 5, lines 12-16, column 9, lines 20-65; column 12, lines 44-62)

Based on said matching, converting device independent content into device-specific content adapted to said user network terminal device (using a user profile and device information to create session specific content; column 5, lines 1-22; column 8, lines 47-64, column 10, lines 1-24);

Providing the device specific content to the user network terminal device (column 1, lines 17-22; column 8, lines 47-67; column 9, lines 58-61).

As per claim 2, Britton et al. teaches the method of claim 50 further comprising the step of specifying a feature-value set for the plurality of user network terminal devices, said feature-value set including a set of selected device features with one or more discrete feature values assigned to each said selected device feature, each said selected device feature selected from the features of the plurality of user network terminal devices in accordance with a pre-established

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criterion (the device conversion preference determined by user profile; column 10, lines 1-21; column 11, lines 1-25).

As per claim 3 and 57, Britton et al. teaches the method of claims 2 and 56 wherein said set of selected device features comprises a member of the group consisting of display size, aspect ratio, display line count, color capability, graphics capability, variable size text capability, different font capability, input capability, and input bandwidth (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25).

As per claim 4, Britton et al. teaches the method of claim 2 wherein said pre-established criterion includes a determination that a particular said selected device feature affects the manner in which the authored content is presented (the device specific and user specific session information determine how the content is presented; column 8, lines 26-37; column 12, lines 20-31).

As per claim 5, Britton et al. teaches the method of claim 2 wherein said feature value set comprises discrete values assigned to selected features of a generic network terminal device (the device specific conversion preference contains values assigned to select features, column 11, lines 38-60).

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As per claim 6, Britton et al. teaches the method of claim 5 wherein said generic network terminal device comprises a set of device features selected from the display features of the plurality of user network terminal devices (column 11, lines 61-67; column 12, lines 1-4).

As per claim 8, Britton et al. teaches the method of claim 50 wherein said step of converting the device-independent content comprises the step of invoking said markup information corresponding to the device feature values associated with the user network terminal device (column 8, lines 26-37; column 12, lines 20-31).

As per claim 9 Britton et al. teaches the method of claim 50 wherein said step of converting the device-independent content comprises the step of removing said markup information from said device-independent content (column 8, lines 26-37; column 12, lines 20-31).

As per claim 10, Britton et al. teaches the method of claim 50 further comprising the steps of:

Automatically analyzing said device-independent content; and automatically embedding meta-data into said device independent content, said meta-data comprising device feature values based on the device independent content (column 8, lines 26-37; column 12, lines 20-31).

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As per claim 11, Britton et al. teaches the method of claim 50 wherein said requesting user network terminal device comprises at least one of a wireless telephone and a personal digital assistant (column 8, lines 46-52).

As per claim 12, Britton et al. teaches the method of claim 1 further comprising the step of identifying said requesting user network terminal device prior to said step of identifying one or more of the device feature values associated with the user network terminal device (user conversion preferences are identified for the requesting user from the user profile; column 9, lines 48-54).

As per claim 13, Britton et al. teaches the method of claim 12 wherein said step of identifying said requesting user network terminal device comprises the step of reading network terminal device information contained in said request (column 9, lines 48-54).

As per claim 14, Britton et al. teaches the method of claim 50 wherein said step of converting the device independent content comprises the steps of:

determining the array of display pixels available in said requesting user network terminal device based on the device feature values associated with the user terminal device (column 8, lines 26-37; column 12, lines 20-31);

comparing said array of display pixels with an array of image pixels corresponding to an image in the device independent content (column 8, lines 26-37; column 12, lines 20-31);

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selecting said authored content image for display in said requesting user network terminal device if said array of image pixels does not exceed said array of display pixels (column 8, lines 26-37; column 12, lines 20-31); and

suppressing said image from display if said array of image pixels does exceed said array of display pixels (column 8, lines 26-37; column 12, lines 20-31).

As per claim 17, Britton et al. teaches the method of claim 1 wherein said step of converting the device independent content comprises the steps of:

determining that said device independent content is marked as having a bi-axially free form characteristic (column 8, lines 26-37; column 12, lines 20-31);

identifying the character count supported by a display in said requesting user network terminal device (column 8, lines 26-37; column 12, lines 20-31);

sending to said requesting user network terminal device a segment of content, wherein the character count in said segment corresponds to said character count supported by said display (column 8, lines 26-37; column 12, lines 20-31).

As per claim 20, Britton et al. teaches the communication system of claim 18 further comprising a device profile repository accessible by said network terminal device detector, said device profile repository including a feature-value set for the requesting user network terminal device, said feature-value set including a set of selected user network terminal device features with one or more discrete device feature values assigned to each said selected user network

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terminal device feature (the device conversion preference determined by user profile; column 10, lines 1-21; column 11, lines 1-25).

As per claim 21, Britton et al. teaches the communication system of claim 51 further comprising a content repository accessible by said origin server, said content repository for storing annotated authored whereby said origin server provides device-independent content from said annotated authored content (column 10, lines 1-21).

As per claim 22, Britton et al. teaches the communication system of claim 51 wherein said at least one user network terminal device feature value is selected from the features of the requesting user network terminal device in accordance with a pre-established criterion (the device conversion preference determined by user profile; column 10, lines 1-21; column 11, lines 1-25).

As per claim 23, Britton et al. teaches the communication system of claim 51 wherein said set of device feature values associated with the requesting user network terminal device comprises a member of the group consisting of display size, aspect ratio, display line count, color capability, graphics capability, variable size text capability, different font capability, and input capability (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25).

As per claim 24, Britton et al. teaches the method of claim 51 wherein said requesting user network terminal device comprises at least one of a wireless telephone and a personal digital assistant (column 8, lines 46-52).

As per claim 26, Britton et al. teaches the method of claim 52 wherein converting comprises the step of converting the content by interpreting metatags embedded in the content (column 8, lines 26-37; column 12, lines 20-31).

As per claim 29, Britton et al. teaches the method of claim 52 wherein said step of converting comprises the step of converting the content into a small-sized image if the terminal device accommodates only small-sized images, and converting the content into a large-sized image if the terminal device accommodates large-sized images (column 12, lines 5-17).

As per claim 30, Britton et al. teaches the method of claim 52 further comprising the step of annotating the content with meta-data to indicate the manner in which portions of the content should be represented on a plurality of different terminal devices, having mutually incompatible display characteristics (column 8, lines 26-37; column 12, lines 20-31).

As per claim 31, Britton et al. teaches the method of claim 52 wherein said step of converting comprises the step of performing a best-fit match between said device display characteristics and one of a plurality of device display formats (user conversion preferences are identified for the requesting user from the user profile; column 12, line 5-17).

As per claim 33, Britton et al. teaches the method of claim 32, wherein step (b) comprises determining a device type of the requesting data processing device, and looking up the one or more display feature values based on the device type (column 8, lines 26-37; column 12, lines 20-31).

As per claim 34, Britton et al. teaches the method of claim 53 wherein one of said one or more display feature values corresponds to a display size of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25).

As per claim 35, Britton et al. teaches the method of claim 53 wherein one of said one or more display feature values corresponds to an aspect ratio of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25).

As per claim 36, Britton et al. teaches the method of claim 53 wherein one of said one or more display feature values corresponds to a display line count of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25).

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As per claim 37, Britton et al. teaches the method of claim 53 wherein one of said one or more display feature values corresponds to a color capability of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25).

As per claim 38, Britton et al. teaches the method of claim 53 wherein one of said one or more display feature values corresponds to a variable size text capability of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25).

As per claim 39, Britton et al. teaches the method of claim 53 wherein one of said one or more display feature values corresponds to a multiple font capability of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25).

As per claim 40, Britton et al. teaches the method of claim 53 wherein one of said one or more display feature values corresponds to an input capability of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25).

As per claim 41, Britton et al. teaches the method of claim 53 wherein one of said one or more display feature values corresponds to an input bandwidth of the requesting data processing

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device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25).

As per claim 43, Britton et al. teaches the method of claim 53 wherein said converting comprises removing the annotations from the device-independent content (column 8, lines 26-37; column 12, lines 20-31).

As per claim 44, Britton et al. teaches the method of claim 53, wherein said requesting data processing device comprises a wireless telephone (column 8, lines 46-52).

As per claim 45, Britton et al. teaches the method of claim 53 wherein step (b) comprises the steps of:

determining the array of display pixels available in said requesting user network terminal device from the feature values (column 8, lines 26-37; column 12, lines 20-31);

comparing said array of display pixels with an array of image pixels corresponding to an authored content image (column 8, lines 26-37; column 12, lines 20-31);

selecting said authored content image for display in said requesting user network terminal device if said array of image pixels does not exceed said array of display pixels (column 8, lines 26-37; column 12, lines 20-31); and

suppressing said authored content image from display if said array of image pixels does exceed said array of display pixels (column 8, lines 26-37; column 12, lines 20-31).

As per claim 59, Britton teaches the apparatus of claim 58 wherein said content has been modified based on markup information identifying one or more device feature values associated with the device independent content (converting and correlating features on the content with the information about the features needed by the user or the device used by the user; column 5, lines 12-16, column 9, lines 20-65; column 12, lines 44-62)

As per claims 60 and 61, Britton teaches the apparatus and method of claims 58 and 59 wherein the device feature value correspond to physical characteristics of the network terminal device (type of device connected and characteristics of the device connected; column 7, lines 59-65)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically taught or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15, 27, 28, 46-49 are rejected under U.S.C. 103(a) as being unpatentable over Britton et al. US Patent no. 6,654,817 in view of Rohrbaugh et al. US Patent Publication No. 2002/0091738. Britton et al. teaches the invention as claimed including a method for allowing low capability computers to browse the internet. Rohrbaugh teaches the invention as claimed including a resolution independent vector display of Internet content (see abstract).

As per claims 15, 46, 47, 48 and 49 Britton et al. teaches the method of claims 46, 50 and 53 wherein said step of converting the device independent content comprises the steps of:

determining an aspect ratio for said requesting user network terminal device from the device feature values associated with the user network terminal device (column 9, lines 48-54)

Britton et al. does not explicitly teach sending authored content marked with an attribute of square to said requesting user network terminal device if said aspect ratio is square ,sending authored content marked with an attribute of portrait to said requesting user network terminal device if said aspect ratio is portrait; and

sending authored content marked with an attribute of landscape to said requesting user network terminal device if said aspect ratio is landscape.

Rohrbaugh teaches sending authored content marked with an attribute of portrait to said requesting user network terminal device if said aspect ratio is portrait (paragraph 0102); and

sending authored content marked with an attribute of landscape to said requesting user network terminal device if said aspect ratio is landscape (paragraph 0102).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the display of the aspect ratio of Britton et al. with the portrait and landscape display of Rohrbaugh. A person of ordinary skill in the art would have been motivated to do this to format content specifically for a particular user device.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Britton et al. US Patent no. 6,654,817 in view of Rohrabuagh US Patent Publication No. 2002/0091738 in further

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view of Lo et al. US Patent No. 6,523,040. Lo teaches the invention as claimed including displaying content to a user with specific preferences.

Britton et al. teaches the method of claim 50.

Britton et al. does not explicitly teach wherein said step of converting the device independent content comprises the steps of:

determining that said device independent content is marked as having a uni-axis free form characteristic;

identifying the number of segments supported by the display in said requesting user network terminal device;

concatenating a number of rows for sending to said requesting user network terminal device if said uni-axis free form characteristic includes a list characteristic, wherein said number of rows corresponds to said number of segments supported; and

concatenating a number of columns for sending to said requesting user network terminal device if said uni-axis free form characteristic includes a column characteristic, wherein said number of columns corresponds to said number of segments supported.

Lo teaches a method comprising:

determining that said authored content is marked as having a uni-axis free form characteristic (column 6, lines 46-67; column 7, lines 1-35);

identifying the number of segments supported by the display in said requesting user network terminal device (column 6, lines 46-67; column 7, lines 1-35);

concatenating a number of rows for sending to said requesting user network terminal device if said uni-axis free form characteristic includes a list characteristic, wherein said number

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of rows corresponds to said number of segments supported (column 6, lines 46-67; column 7, lines 1-35); and

concatenating a number of columns for sending to said requesting user network terminal device if said uni-axis free form characteristic includes a column characteristic, wherein said number of columns corresponds to said number of segments supported (column 6, lines 46-67; column 7, lines 1-35).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the viewing of Britton et al. with the concatenating of Lo. A person of ordinary skill in the art would have been motivated to do this to allow the user to view the content properly.

As per claim 27, Britton et al. teaches the method of claim 52. Britton et al. does not teach wherein said step of converting comprises the step of converting the content into a landscape formatted display format if the terminal device has a landscape-formatted display, and converting the content into a portrait-formatted display format if the terminal device has a portrait-formatted display. Rohrabough teaches converting to a portrait or landscape formatted display. See paragraph 0102. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the display of the aspect ratio of Britton et al. with the portrait and landscape display of Rohrabough. A person of ordinary skill in the art would have been motivated to do this to format content specifically for a particular user device.

As per claim 28, Britton et al. teaches the method of claim 52. Britton et al. does not teach wherein said step of converting comprises the step of converting the content into a first

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aspect ratio if the terminal device has said first aspect ratio, and converting the content into a second aspect ratio of the terminal device has said second aspect ratio. Rohrbaugh teaches converting the content into a first aspect ratio if the terminal device has said first aspect ratio, and converting the content into a second aspect ratio of the terminal device has said second aspect ratio See paragraph 0102. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the display of the aspect ratio of Britton et al. with the portrait and landscape display of Rohrbaugh. A person of ordinary skill in the art would have been motivated to do this to format content specifically for a particular user device.

Response to Arguments

3. Applicant's arguments with respect to claims 2-61 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

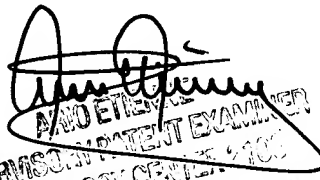
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam

Ua

January 16, 2008


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TECHNOLOGY CENTER 2157